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Attorney for Plaintiff, CODY NICHOLS

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

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| CODY NICHOLS, an individual,<br><br>Plaintiff,<br><br>vs.<br><br>DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee For Morgan Stanley Loan Trust 2006-HE4, an entity of unknown form; DECISION ONE MORTGAGE COMPANY, LLC, a North Carolina Limited Liability Company; and DOES 1-10, inclusive,<br><br>Defendants. | CASE NO. 07CV2039L (NLS)<br><br>**DECLARATION OF CODY NICHOLS IN SUPPORT OF PLAINTIFF'S APPLICATION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION** |

I, CODY NICHOLS hereby declare:

1. I am a party to the above entitled action.

2. I have personal knowledge of all things stated in this declaration except as to those things stated on information and belief, and as to those things, I believe them to be true. I

could testify competently to these things if called to as a witness in court.

3. In February 2006, I signed paperwork for a loan to refinance my principle dwelling/residence located at 2010 Rancho Manzanita, Boulevard, California 91905 ("my home"). Late that evening, a notary public arrived at my home at approximately 8:00 p.m. The notary public brought paperwork for me to sign for a refinance of my home with Decision One Mortgage Company.

4. The notary public, my mother, Pam Nichols and myself sat at the kitchen table and I was instructed, by the notary public, to sign certain pages as she flipped through them.

5. I was rushed through the process and not given time to read the documents. The entire signing process took less than thirty minutes.

6. At the conclusion of signing the documents, the notary pick up all the documents and began to leave. When my mother asked her if I was going to get a copy of the documents, she said that a copy of the documents would be mailed to me in the future.

7. I never received any of the documents by mail.

8. I live in my home with my mother and father. My father is ill and in poor health. I am very worried about my father's health and the effect of being forced out of our home will have on him.

. 9. I do not want to lose my home. If Defendants sell my home through foreclosure, I believe that my home will be lost to me and my family forever. My home is unique and my family and I have made it a comfortable place to live. I do not believe that I will be able to purchase the exact same home anywhere else. If Defendants are permitted to foreclose and I am forced to leave my home, it will subject me to public humiliation.

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10. I respectfully request that the Court preserve the status quo and grant our request for a Temporary Restraining Order and then, a preliminary injunction to prevent Defendants from foreclosing and selling my home before my claims are heard by the Court.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 25th day of October 2007, at Boulevard, California.

/s/ Cody Nichols
CODY NICHOLS